

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALPHONSO SANDERS,	:	CIVIL ACTION
Plaintiff,	:	
	:	
vs.	:	
	:	
JOHN A. PALAKOVICH, ET AL.	:	
Defendants.	:	NO. 06-1107

O R D E R

AND NOW, this __th day of May, 2007, upon careful and independent consideration of Alphonso Sanders's petition for Writ of Habeas Corpus (Docket No. 1), and Respondents' Answer thereto (Docket No. 13), and after de novo review of the Report and Recommendation of United States Magistrate Judge Jacob P. Hart (Docket No. 14), and Petitioner's Objections thereto (Docket No. 17),¹ it is **ORDERED** that:

1. Petitioner's Objections (Docket No. 17) are **OVERRULED**.
2. The Report and Recommendation (Docket No. 14) is **APPROVED** and **ADOPTED**.

¹ Because Petitioner filed objections to the Magistrate Judge Hart's Report and Recommendation, the Court is required to "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). The Court has independently and thoroughly reviewed Petitioner's state court record, and has considered Petitioner's arguments and factual assertions submitted to the Court in his habeas petition and his Objections. Further, in his Objections Petitioner noted that although he submitted a Traverse (Docket No. 15) in response to the Government's answer to his original habeas petition, the Traverse was submitted after Judge Hart filed his Report and Recommendation, and was, therefore, not considered by Judge Hart as part of the record in this case. The Court notes that in considering the arguments contained in Petitioner's Objections, the Court also considered Petitioner's Traverse. Because the Court finds that the analysis Judge Hart conducted was appropriate and the conclusions he reached were correct, Petitioner's Objections will be overruled, Judge Hart's Report and Recommendation will be approved and adopted, and Petitioner's petition for writ of habeas corpus will be denied.

3. Petitioner's petition for Writ of Habeas Corpus is **DENIED** with prejudice.
4. There is no probable cause to issue a certificate of appealability.
5. The Clerk of the Court shall mark this case **CLOSED** for all purposes, including statistics.

BY THE COURT

S/Gene E.K. Pratter
GENE E.K. PRATTER
United States District Judge